

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION OF PRICE ESTATES)
SUBDIVISION WASTEWATER TREATMENT)
SYSTEM AND ROBERT TRIMBLE)

CASE NO. 91-071

_____)
ALLEGED VIOLATION OF KRS CHAPTER 278)

O R D E R

The Price Estates Subdivision Wastewater Treatment System ("Price Estates") is located in Johnson County, Kentucky and serves six residences. The system and the property on which it is located was deeded to Thelma Activities, Inc. in 1981. Thelma Activities, Inc. was a Kentucky corporation which also operated two other sewage treatment systems; it was administratively dissolved by the Secretary of State's office in 1985. In 1982, ownership of Thelma Activities, Inc. was conveyed to Robert Trimble. Although the corporation is defunct, there is no evidence in the record of a subsequent conveyance of the waste water treatment system by Robert Trimble.

KRS 278.280 authorizes the Commission to prescribe rules for the performance of any service furnished or supplied by a utility. 807 KAR 5:071, Section 7, requires sewage treatment facilities to be constructed, installed, maintained, and operated in accordance with accepted good engineering practices.

On July 30, 1990, Commission Staff conducted an inspection of Price Estates for compliance with the above regulation. Staff subsequently submitted to the Commission a Utility Reinspection Report dated August 6, 1990, attached hereto as Exhibit A and incorporated herein by reference, which reported multiple instances of plant maintenance and operation which were not in conformity with accepted good engineering practice. A reinspection of Price Estates was conducted by Commission Staff on January 24, 1991 to determine if the deficiencies noted in August of 1990 had been corrected. That reinspection report, attached hereto as Exhibit B and incorporated herein by reference, reveals that none of the deficiencies reported in August of 1990 have been corrected.

The Commission finds from Exhibits A and B that a prima facie showing has been made that Robert Trimble, as owner of Price Estates, has violated 807 KAR 5:071, Section 7, by failing to maintain and operate the sewage treatment facility in accordance with accepted good engineering practice.

IT IS THEREFORE ORDERED that Robert Trimble shall appear at a hearing scheduled for April 5, 1991 at 10:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, and be prepared to show cause why he should not be penalized pursuant to KRS 278.990 for failing to comply with 807 KAR 5:071, Section 7.

IT IS FURTHER ORDERED that Robert Trimble shall submit a written response to all allegations contained herein within 20 days of the date of this Order.

Done at Frankfort, Kentucky, this 11th day of March, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

Commonwealth of Kentucky
Public Service Commission

UTILITY REINSPECTION REPORT

Price Estates
Johnson County, Kentucky

The Division of Engineering received a request from the Public Service Commission's General Counsel to conduct an inspection on the Price Estates Subdivision Wastewater Treatment Plant to see under what conditions it was operating (see attachments A and B). The system consists of about a 5,000-gallon per day plant and approximately 1,000 feet of collection line and serves 6 residences. An inspection was conducted on July 30, 1990 with the following conditions being found:

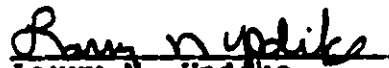
Investigation

1. The diffusers need to be inspected and repaired or replaced as necessary. (807 KAR 5:071, Section 7, 1)
2. The chlorination unit needs to be repaired and put in service. (807 KAR 5:071, Section 7, 1)
3. The chlorine contact basin needs to be cleaned of sludge. (807 KAR 5:071, Section 7, 1)
4. A backup blower and motor unit or immediate access to one is needed in case of an emergency. (807 KAR 5:071, Section 7, 1)
5. The clarifier needs to be cleaned out. (807 KAR 5:071, Section 7, 1)
6. The aeration tank is almost in a septic condition giving off a slight hydrogen sulfide odor. The air discharge rates need to be increased to help this problem. (807 KAR 5:071, Section 7, 1)
7. The skimmer needs to be inspected for proper operation and repaired if found not operating properly. (807 KAR 5:071, Section 7, 1)

8. The plant is currently being operated without a comminutor. As long as the plant can be operated satisfactorily and produce an acceptable effluent the Commission may not require the use of a comminutor. However, the utility must monitor plant operations and immediately install a functioning comminutor should conditions warrant. (807 KAR 5:071, Section 7, 1)
9. The wastewater treatment system needs to be operated by a certified plant operator. (807 KAR 5:071, Section 7, 1)
10. A filter is needed for the blower/motor unit. (807 KAR 5:071, Section 7, 1)
11. An air leak in the line feeding the diffusers needs to be repaired. (807 KAR 5:071, Section 7, 1)

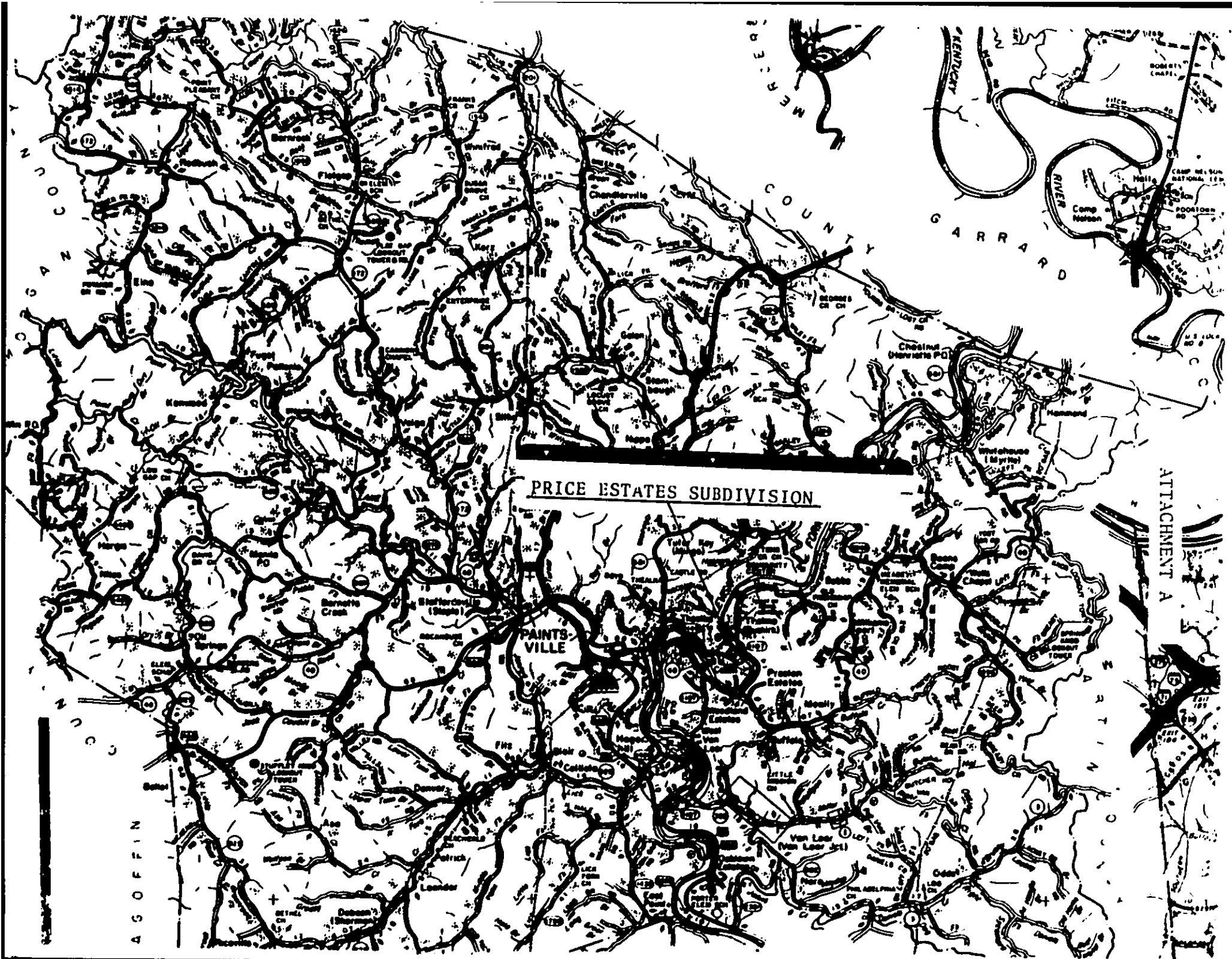
Items 1, 3, 4, 8, 9, 10 and 11 listed above are repeat violations. These violations were noted in the inspection report of September 11, 1989. The repairs or corrections listed in this report are required in order to restore this facility to an acceptable operating condition.

Submitted,
August 6, 1990


Larry N. Updike
Utility Investigator

(31)

CGR:LNU:aem



Utility PRICE ESTATES SUBDIVISION

JIM HUGHES ESTATES



Drain

Jim Hughes
Estates S.T.P.

Sand
Filter

STREAM

Atkinson

1-S.B.

Ken
Canada

1-S.F.

Glen
Blair

1-S.F.

Joe
Lewis

1-S.F.

Olan
Fitch

1-S.F.

SAN
PUMP

125'

S.T.P.

PRICE ESTATES

Harry & Kenny
Tackett Butcher

1-S.F.

1-S.F.

370'

TRAVIS DAVIS (Gravel)

240'

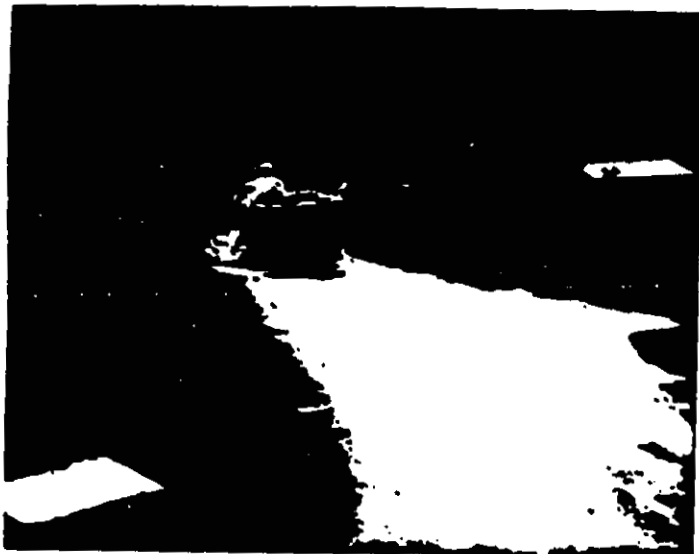
Hwy 1107

TO
PAINTSVILLE

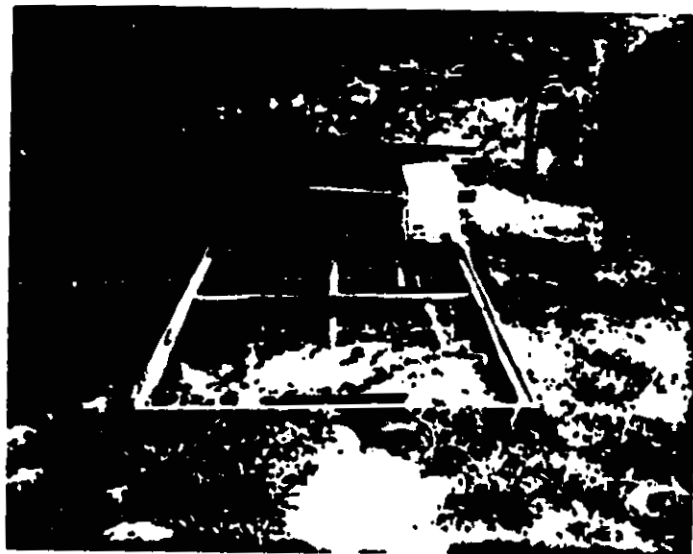
NOT TO SCALE

ATTACHMENT B

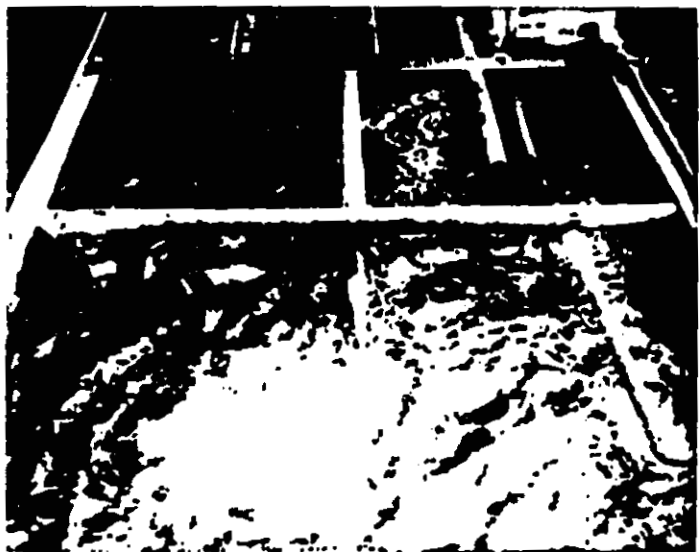
PRICE ESTATES WASTEWATER TREATMENT SYSTEM



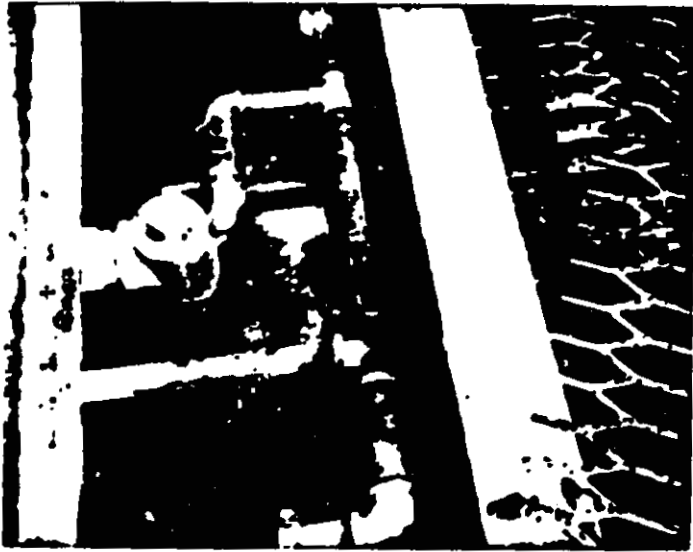
7/31/90
PRICE ESTATES
PLANT SITE



7/31/90
PRICE ESTATES
WASTEWATER TREATMENT PLANT



7/31/90
PRICE ESTATES
AERATION TANK



7/31/90
PRICE ESTATES
SLUDGE IN CLARIFIER

ATTACHMENT B1

PRICE ESTATES WASTEWATER TREATMENT SYSTEM



7/31/90
PRICE ESTATES
CHLORINATION UNIT IN DISREPAIR

Commonwealth of Kentucky
Public Service Commission

UTILITY REINSPECTION REPORT

Price Estates Subdivision Wastewater Treatment System
Johnson County, Kentucky

On January 24, 1991, a reinspection of Price Estates Wastewater Treatment System was conducted. The purpose of the reinspection was to see what progress, if any, had been made to date on the improvements or corrections recommended in the Public Service Commission's staff report dated August 6, 1990. The current status of each item is as follows:

1. The diffusers need to be inspected and repaired or replaced as necessary. (807 KAR 5:071, Section 7,1)

Current Status: Still needs to be corrected.

2. The chlorination unit needs to be repaired and put in service. (807 KAR 5:071, Section 7,1)

Current Status: Still needs to be corrected.

3. The chlorine contact basin needs to be cleaned of sludge. (807 KAR 5:071, Section 7,1)

Current Status: Still needs to be corrected.

4. A backup blower and motor unit or immediate access to one is needed in case of an emergency. (807 KAR 5:071, Section 7,1)

Current Status: Still needs to be corrected.

5. The clarifier needs to be cleaned out. (807 KAR 5:071, Section 7,1)

Current Status: Still needs to be corrected.

6. The aeration tank is almost in a septic condition giving off a slight hydrogen sulfide odor. The air discharge rates need to be increased to help this problem. (807 KAR 5:071, Section 7,1)

Current Status: Still needs to be corrected.

7. The skimmer needs to be inspected for proper operation and repaired if found not operating properly. (807 KAR 5:071, Section 7,1)

Current Status: Still needs to be corrected.

8. The plant is currently being operated without a comminutor. As long as the plant can be operated satisfactorily and produce an acceptable effluent the Commission may not require the use of a comminutor. However, the utility must monitor plant operations and immediately install a functioning comminutor should conditions warrant. (807 KAR 5:071, Section 7,1)

Current Status: Still needs to be corrected.

9. The wastewater treatment system needs to be operated by a certified plant operator. (807 KAR 5:071, Section 7,1)

Current Status: Still needs to be corrected.

10. A filter is needed for the blower/motor unit. (807 KAR 5:071, Section 7,1)

Current Status: Still needs to be corrected.

11. An air leak in the line feeding the diffusers needs to be repaired. (807 KAR 5:071, Section 7,1)


Current Status: Still needs to be corrected.

Items 1, 3, 4, 8, 9, 10 and 11 listed above are repeat violations. These violations were noted in the inspection report of September 11, 1989 and August 6, 1990. The repairs or

Report - Price Estates Subdivision
Wastewater Treatment System
Page 3

corrections listed in this report are required in order to restore
this facility to an acceptable operating condition.

Submitted,
February 4, 1991


Larry N. Updike
Utility Investigator

CGR:LNU:aem